

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejection of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-9, 11-35, 37-41, and 43-48 are currently pending. Claims 1, 5, 7, 9, 11, 32-35, 37-41, 43, and 47, which are independent, are hereby amended. Support for this amendment is provided throughout the Specification, specifically at page 82 and figure 39.

No new matter has been introduced. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §101 and 102(b)

Claims 1, 5, 7, 9, 11, 38-41, and 43 were rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter.

Claims 1-9, 11-35, 37-41, and 43-48 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 6,144,969 to Inokuchi et al. (hereinafter, merely “Inokuchi”).

III. RESPONSE TO REJECTIONS

A. Response to Rejections Under 35 U.S.C. §101

Applicants submit that the rejection under 35 U.S.C. §101 has been overcome.

The amended claims recite that a result is generated and provided to a display device.

Furthermore, Applicants respectfully traverse the 35 U.S.C. §101 rejection. Applicants submit that claims 1, 5, 7, 9, 11, 38-41, and 43 are directed to “apparatus” and elements are in mean-plus-function form. The “index file generation means” is disclosed throughout the Specifically, at least at page 33, lines 14-19: “the system controlling microcomputer 19 serves as an index file generation means for generating an index file together with the file generator 15.” Applicants submit that apparatus is a statutory subject matter under 35 U.S.C. §101. Applicants further submit that Court Appeals of Federal Circuit (CAFC) holds that “means” can read on software instrumentation.

For all of the above-reasons, withdrawal of the Rejections Under 35 U.S.C. §101 is requested.

B. Response to Rejection Under 35 U.S.C. §102(b)

Claim 1 recites, *inter alia*:

“A recording apparatus for recording desired files on a recording medium, comprising:

classification means for classifying the block of extracted information included in each entry according to the plurality of attributes,

wherein each file of the index file is associated with only one attribute and each attribute of the plurality of attributes is associated with a respective file of the index file; and

a display means to display data based on the classification and association.” (Emphasis added)

The present invention, claimed in claim 1 is directed to classifying extracted information according to attributes. Secondly, the file of the index file is associated with an attribute and the attribute is associated with a file of the index file.

Applicants respectfully submit that Inokuchi fails to disclose or teach the above-identified features of claim 1. Specifically, nothing is found that teaches or discloses classification means for classifying the block of extracted information included in each entry according to a plurality of attributes, and wherein each file of the index file is associated with only one attribute and each attribute of the plurality of attributes is associated with a respective file of the index file, as recited in claim 1.

Indeed, claim 1 recites the classification of the block of extracted information and the association between the attribute and the file of the index file. Nothing in the references relied by the Office Action teaches or discloses the above-identified features of claim 1.

Therefore, Applicants submit that independent claim 1 is patentable.

For reasons similar to those described above with regard to independent claims 5, 7, 9, 11, 32-35, 36-41, 43, and 47 are also patentable.

IV. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Similarly, because Applicants maintain that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicants reserve the right to address such comments.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference or references providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that claim 4 is patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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